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LABOUR DEPARTMENT

The 8th September, 1976

No. 7817-4Lab-76/24923.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s. Associated Steel Industries Private Limited, 29-A, N. I. T., Faridabad.

**BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD**

Reference No. 107 of 1974

between

**THE WORKMEN AND THE MANAGEMENT OF M/S. ASSOCIATED STEEL INDUSTRIES
PRIVATE LIMITED, 29-A, N. I. T., FARIDABAD**

AWARD

By order No. ID/FD74/31285, dated 2nd September, 1974, the Governor of Haryana, referred the following dispute between the management of M/s. Associated Steel Industries Private Limited, 29-A, N.I.T., Faridabad and its workmen to this Tribunal, for adjudication in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

- (1) Whether the workmen are entitled to the grant of dearness allowance? If so, with what details?
- (2) Whether the workmen are entitled to the supply of uniforms? If so, with what details?
- (3) Whether the workmen who have worked on probation for more than six months are entitled to confirmation? If so, with what detail?
- (4) Whether the workmen are entitled to bonus for the years 1969-70, 1970-71, 1971-72, 1972-73, and 1973-74? If so, with what details?

The parties put in their appearance in this Tribunal in response to the usual notices of reference sent to them and filed their pleadings giving rise to the following preliminary issues framed by me,—vide my order, dated 9th June, 1976:—

- (1) Whether the disputes leading to the reference were properly espoused by a requisite No. of workmen?
- (2) Whether the workmen raising the demand on the management leading to the reference left the services of the respondents on 22nd August, 1975 after receipt of dues in full and final satisfaction of their dues? If yes, to what effect?
- (3) Whether the reference is incompetent and bad in law for the preliminary objections Nos. 1 and 2?
- (4) Whether the disputes Nos. 1 and 2 in the order of reference are barred on grounds of res judicata?
- (5) Whether the demand in respect of grant of bonus for the years 1969 to 1974 is legally barred?

The reference was fixed for recording evidence of the workmen for 29th July, 1976 when Shri Amar Singh Sharma, appeared for the workman and made a statement that he had no instructions from them. In view of the statement thus made by Shri Amar Singh Sharma, *ex parte* proceedings were taken up against the workmen on that date.

Shri Rattan Chand Manager appearing for the management made an *ex parte* statement that the workmen who had raised the demand leading to this reference were no longer in their service and that they had actually withdrawn the demand on 22nd August, 1974. —vide settlement entered into by them with the management copy Ex. M-1 duly signed by them. He added that a copy of the settlement had been sent to the Secretary to Government, Labour and Employment Departments, Haryana, Chandigarh, and that the remaining workmen had also signed another settlement, Ex. M-3 in his presence.

I see no reason to disbelieve the statement of Shri Rattan Chand, Manager particularly when the proceedings against the workmen are *ex parte* and none of them has cared to pursue the demand raised by him

on the management leading to this reference. Dalip Singh Rafi Mohd, Gang Dev, Dharam Pal, Roop Mohd and Roop Chand workmen made statements before me in corroboration of the statement of Shri Rattan Chand that all the workmen had settled the dispute referred to this Tribunal amicably and that no claim had now been left against the management. It would thus appear that *ex parte* statement of Shri Rattan Chand Manager stands well corroborated by the statements of this workmen.

I thus relying on the *ex parte* statement of Shri Rattan Chand duly corroborated by the statement of some of the workmen and having regard to the fact that proceedings against the workmen are *ex parte*, hold that the dispute referred to this Tribunal had been amicably settled and that there is now no dispute between the parties requiring adjudication.

I answer the reference while returning the award in these terms.

Dated, the 30th July, 1976.

MOHAN LAL JAIN,

Presiding Officer,

Industrial Tribunal, Haryana,
Faridabad.

No. 937, dated 30th July, 1976.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated, the 30th July, 1976.

MOHAN LAL JAIN,

Presiding Officer,

Industrial Tribunal, Haryana,
Faridabad.

No. 8976-4Lab-76/24925.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workmen and the management of M/s Ambala Co-operative Consumer Stores Limited, Ambala City.

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK]

Reference No. 91 of 1972

between

SHRI FAQUIR CHAND, WORKMAN AND THE MANAGEMENT OF M/S AMBALA
CO-OPERATIVE CONSUMER STORES LIMITED, AMBALA CITY

AWARD

By order No. ID/Amb/432-B.72/8693, dated 3rd March, 1972 of the Governor of Haryana, the following dispute between the management of M/s. Ambala Co-operative Consumers' Stores Limited, Ambala City and its workman Shri Faquir Chand, was referred to this Court for adjudication, in exercise of the powers conferred by clause (c) of section (1) of section 10 of the Industrial Disputes Act, 1947 :—

“Whether the termination of services of Shri Faquir Chand was justified and in order ? If not, to what relief is he entitled ?

The parties put in their appearance in this Court in response to the usual notices of reference sent to them and filed their pleadings giving rise to the following issues framed,—*vide* order, dated 7th July, 1972 :—

- (1) Whether the respondents consumers store is not an industry?
- (2) Whether the applicant is not a workman ?
- (3) If the above issue is found in favour of the workman, whether the termination of his services was justified ? If not, to what relief is he entitled?

Shri D. S. Rekhi, authorised representative for the management did not press pleas giving rise to issues Nos. 1. and 2 as would appear from the written arguments filed by him and I, as such, decide both these issues against the management.

Whereas the management examined one Shri Wazir Chand Gosain, their Assistant General Manager, as M. W. 1, the workman appeared as his own witness in support of his pleas covered by issue No. 3 and the parties led no other evidence. The services of the workman were alleged to have been terminated by the management on the charge of misconduct of his having committed embezzlement of a sum of Rs. 5,748.67 Ps. No enquiry was admittedly held against him in respect of charge of his misconduct. Shri Wazir Chand Gosain, however, produced documents Exhibit M. 1 to Exhibit M. 3 in order to prove this charge against the workman and frankly admitted that he had no personal knowledge about the facts relating to the charge and that all the documents brought by him were of the period before his appointment with effect from 1st January, 1975. I have carefully gone through these documents and do not find any of these as establishing the charge against the workman even obliquely. For instance, Exhibit M. 1 is a copy of the order, dated 3rd August, 1968 of the appointment of Shri Faqir Chand as Branch Manager in the stores on probation for the period of one year with a condition that his services were temporary and could be terminated without any notice. The services of the workman having been admittedly terminated with effect from 20th July, 1971, after he became confirmed on the expiry of the period of one year, he could not be said to be continuing as a temporary workman. Exhibit M. 2 is a letter sent to the workman by the General Manager informing him of receipt of some complaint against him in respect of his rude behaviour towards the customers and his failure to present the sale register of sugar before the officer concerned. Exhibit M. 3 is a show cause notice served on the workman directing him to explain the shortage of sugar in the stores and absence of entry of 20 bags of wheat in the sale register. Exhibit M. 4 is a reminder sent to him of letter Exhibit M. 3. Exhibit M. 5 is a letter sent to the General Manager by one Sham Lal admitting his mistake and is irrelevant to the matter in case. Exhibit M. 6 is a report of the General Manager relating to the absence of the workman from duty on 21st September, 1969 at 10.00 A.M. when the shop was visited by him on a surprise check. Exhibit M. 7 is again an order suspending the workman as a result of his unsatisfactory nature of work. Exhibit M. 8 is an office order whereby the workman was fined Rs. 10 for his temporary absence from duty several times. Exhibit M. 9 is a complaint made by one K. L. Vij to the Chairman against the workman. Exhibit M. 10 is a report of the Directors and General Manager of the Stores etc. holding the workman responsible for shortage of Rs. 51,39.70 Paise. Exhibit M. 11 is a letter, dated 2nd July, 1971 sent by the workman to the General Manager requesting for his reinstatement. Exhibit M. 12 is a final notice sent to the workman by the management asking him to pay interest on the amount outstanding against him. Exhibit M. 13 is a warning administered to him in writing.

It would, thus, appear that none of these documents can be said to bring home the charge directly to the workman and the termination of his services ordered by the management is obviously illegal and liable to be set aside.

I, therefore, decide issue No. 3 against the management with a finding that the termination of services of the workman is unjustified and he is entitled to reinstatement with continuity of service and full back wages. I answer the reference while returning the award in these terms.

Dated the 27th July, 1976.

MOHAN LAL JAIN,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 1749, dated the 31st July, 1976.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL JAIN,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

P. P. CAPRIHAN,
Commissioner and Secy.

LABOUR AND EMPLOYMENT DEPARTMENT

The 23rd September, 1976

No. 9571-7Lab-76/25583.—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India and other powers enabling him in this behalf the Governor of Haryana hereby makes the following rules further to amend the Punjab Employment [(Class I and II) Service Rules, 1963, namely :—

- (1) These rules may be called the Punjab Employment (Class I and II) Service (Haryana First Amendment) Rules, 1976.

- (2) In the Punjab Employment (Class I and II) Service Rules, 1963, after sub-rule (4) of rule 7 the following new sub-rules shall be added, namely :—
- “5. No person :—
- (a) who has more than two children and has not got himself/herself/his or her spouse sterilized.
- (b) who having not more than two children, does not give an undertaking not to have more than two children.
- shall be allowed to join the service.
5. A breach of undertaking under clause (b) of sub-rule (5) shall render the Government employee liable to removal from Service.”

P. P. CAPRIHAN,
Commissioner and Secy.

REVENUE DEPARTMENT

The 16th September, 1976

No. 5161-R-5-76/28976.—In partial notification of Haryana Government, Revenue Department notification No. 599-R-5-76/4123, dated the 10th February, 1976, the Governor of Haryana is pleased to nominate Shri Ramji Lal Daggar, M.L.A. as non-official member of State Advisory Committee for Revenue Department in place of Late Comrade Ram Kishan Azad, M. L. A.

The Committee shall meet now quarterly in stead of monthly. The other terms and conditions of the Committee will remain the same.

S. D. BHAMBRI,
Financial Commissioner Revenue and Secy.

EXCISE AND TAXATION DEPARTMENT

The 20th September, 1976

No. 4932-ET(2)-76/29407.—The result of the Departmental Examination of the Officers of the Excise and Taxation Department, Haryana and Himachal Pradesh, held in June, 1976 is announced as under :—

Serial No.	Name of the Officer/Official and District in which posted	Paper I (Law of Crimes)	Paper II (Excise Law)	Paper III (Allied Taxes)	Paper IV (Property Tax Law)	Paper V (Sales Tax Law)	Paper VI (Book Keeping)	Paper VII (Landa Script) Remarks	
1	2	3	4	5	6	7	8	9	10

EXCISE AND TAXATION OFFICERS

Sarvshri—

1	Om Parkash Sheoran, Rohtak	..	Pass (W.C.)	Fail	Fail	Pass	Pass	Pass (W.C.)	Pass (W.C.)
2	Yudhvir Singh (Under Training), Hissar	Fail	Pass	Fail	Pass	..	Pass	Pass	Pass
3	Suraj Bhan Khangwal (Under Training) Narnaul	Pass (W.C.)	Fail	Fail	Fail	Fail	Fail	Pass	Pass
4	Karan Singh Dhaka, Faridabad	..	Fail	Pass (W.C.)	Fail	Pass	..	Pass	Pass
5	Lal Chand (Under Training), Karnal	Pass	Pass	Pass	Pass	Fail	Pass	Pass	Pass
6	Smt. Vidya Sagwan, Rohtak	..	..	Fail	Fail	..	Pass	Pass (W.C.)	
7	Miss Kamlesh Kumari, Kurukshetra	Pass	Fail	Fail	Fail	..	Fail	Pass	

ASSISTANT EXCISE AND TAXATION OFFICERS

1	Narinder Mohan Malhotra, Narnaul	Fail	Fail	Fail	Pass (W.C.)
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1	2	3	4	5	6	7	8	9	10
Sarvshri—									
2	Azad Singh, A.E.T.O. (under training), Fail Gurgaon	Pass	Fail	Fail	Fail	Fail	Pass
3	Devi Singh, E.T.C. Office, Haryana	..	..	..	..	..	..	..	..
4	Lok Nath Ganhbir, E.T.C. Office, Haryana. Chandigarh	Pass (W.C.)	Fail	Fail	Pass	Fail	Pass	Pass	Pass
5	Jai Singh Rawat, Sonepat	.. Pass (W.C)	Pass	Pass	Fail	..	Fail	Pass	Pass
6	Nathu Ram, Sirsa	.. Pass	Fail	Fail	Fail	..	Fail	Pass	Pass
7	Suresh Kumar, Hissar	.. ..	(Pass (W.C.))	Fail	Pass	..	Pass	Pass	Pass
8	A.N. Kurmi, Narwana (Jind)	.. ..	..	Pass	..	..	Fail	..	..
9	Devinder Gaur (Under training), Ambala Cantt.	Pass	Fail	Fail	Pass	Fail	Fail	Pass	Pass
10	Mrs. Sheel Mohini Chhikara, (Under training), Rohtak	Fail	Fail	Fail	Fail	..	Pass (W.C.)	Pass (W.C.)	Pass
11	M.N. Nagyal, Bhiwani	.. Fail	..	Fail	Pass	Fail	Fail	..	..
12	Lal Chand Chowdhary, Sirsa	.. ..	Fail	Pass	..	..	Fail	..	..
13	M.K. Puri, S.T.C.B.G.T., Road, Ambala City	.. ..	..	..	Fail	..	Fail	..	..
14	J.S. Chauhan, Kaithal	.. ..	..	..	..	..	Pass (W.C.)	..	..
15	Surekha Rani Sharma (Under train- ing), Panipat	Pass	Fail	..	Fail	..	Pass	Pass	Pass
16	Virender Kumar, Kurukshetra	.. Pass (W.C.)	..	..	..	Fail	..	Pass (W.C.)	..
17	Mohinder Singh Pawar, Chandigarh	Pass	..	..	..	..	..	..	..
18	Jagdish Chander Bishnoi, Ambala City	.. ..	..	..	..	..	..	..	Pass (W.C.)
19	Bulaqi Ram, S.T.C.B. Saidpur Kharkhoda (Sonepat)	..	Fail	..	..	..	..	..	..
TAXATION INSPECTORS AMBALA									
1	Ravinder Singh, S.T.C.B. Panchkula, Manimajra	.. ..	Fail	..	Fail	..	..	..	..
2	Daryao Singh, E.T.O. Office, Ambala	Pass City	..	Fail	..	Pass	Fail	..	..
3	R.D. Gupta, Yamunanagar	.. Fail	..	Fail	..	Pass	Fail	..	..
4	Labh Singh D.E.T.C. Office, Ambala Cantt.	Fail	..	Fail	..	Fail	Fail	..	..
5	Rati Ram, Ambala Cantt.	.. ..	..	Fail	..	Pass	Fail	..	..
6	Jagdish Mitter Chopra, S.T.C.B., Dhulkot	.. ..	Pass (H.S.)	..	..	..	..	..	..
7	Phul Chand Jain, Yamunanagar	.. Pass	..	Fail	..	Fail	Fail	..	..
8	Yadesh Kumar, Yamunanagar	.. Pass (W.C.)	..	..	..	..	Pass	..	..
9	Krishan Kumar Goel, S.T.C.B., Ramgarh	.. ..	..	..	..	Fail	Pass	..	..
10	Vir Bhan, Ambala	.. Pass	..	..	..	..	Fail	..	..
11	Ram Sarup Malik, Ambala Cantt.	Pass ..	..	..	..	Fail	..	..	..
12	Jagdish Chander Bishnoi, Ambala City	Pass (H.S.)	..	..	..	..	..	..	..
13	Ram Sarup Bhasin, S.T.C.B., Dhulkot	.. ..	..	..	..	..	Pass (W.C.)	..	..
KURUKSHETRA									
14	Mukesh Kumar Gupta, S.T.C.B., Patiala Cheeka Road, Cheeka	Pass

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<i>Saroshri—</i>									
15	B.S. Walia, Kurukshetra	Pass	..	Fail	..	Pass	Fail	..	
16	Balbir Singh Malik, Kurukshetra	Fail	..	Pass	Fail	..	
17	Sushil Kumar Gupta, Kurukshetra	Fail	..	Fail	Pass	Fail	..	..
18	Balbir Singh Dahiya, Kurukshetra	Pass (H.S.)	..	..	..	Fail	Fail	..	
19	Sher Singh, Cheeka Barrier, Kurukshetra	..	..	..	..	..	Fail	..	
20	Sagar Mal, Kaithal	..	..	..	..	Fail	Fail	..	
21	Babu Singh, S.T.C.B., Cheeka Patiala Road	..	..	..	..	Pass	..	..
KARNAL									
22	Man Singh, Panipat	..	..	..	..	Pass	Fail	..	
23	Raj Kumar, Karnal	Pass	..	..	..	Pass	..	..
24	Manohar Singh Walia	..	..	..	..	Fail	..	..
SONEPAT									
25	Bachan Singh, Sonepat	Pass	..	Fail	..	..	..	..
26	Ram Narain Sindwani, S.T.C.B., Kundli	Pass	..	..	..	Pass	Fail	..	
27	Lila Ram Bahmani, S.T.C.B., Kundli	..	..	..	..	Fail	Fail	..	
28	Sant Ram Nehra, S.T.C.B., Kundli	..	..	..	..	Pass	..	..
29	Ram Kumar Lamba, Sonepat	..	..	..	..	Pass	..	..
30	Jai Singh Rawat, Sonepat	..	..	..	..	Pass	..	..
31	Ram Chander, S.T.C.B., Saidpur	..	..	..	..	Pass	..	..
SIRSA									
32	Ram Parkash Thukral, S.T.C.B., Kalanwali, Sardulgarh Mansa Road (Sirsa)	..	..	Pass	..	..	..	..
33	Jai Singh Chahal, Sirsa	..	..	Fail	Fail	..	..	..
34	Balwan Singh, Sirsa	Pass	..	..	..	Fail	Fail	..	
35	Amar Singh Khod, Mandi Dabwali	..	..	..	..	Pass	Fail	..	
36	Tara Chand Sangwan, S.T.C.B., Kalanwali, Sardulgarh, Mansa Road Village Rori	Pass	..	..	..	..	..	Pass (H.S.)	
37	Chander Singh, Sirsa	..	..	..	..	Pass	..	..
38	Suresh Chander Gupta, S.T.C.B., Sirsa-Sardulgarh, Mansa Road, Mossabibwala P.O. Pinhari	..	..	..	..	Pass	..	..
ROHTAK									
39	Rahul Rajyana, Rohtak	..	..	..	..	..	Fail	..	
40	Zile Singh Mahandia, S.T.C.B., Bahadurgarh	..	..	..	..	Pass	Fail	..	
41	Jagan Nath Gupta, S.T.C.B., Najaf- garh Road, Bahadurgarh	Pass	..	..	..	Pass	..	..
HISSAR									
42	Om Parkash Bura, Hissar	..	..	Fail	..	..	..	..
43	Ramchand Chander, S.T.C.B., Tohana	Pass	Fail	..	
44	Lal Singh, S.T.C.B., Hanspur	Pass	Pass	Fail	..	
45	Suresh Kumar, Hissar	Pass	

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BHIWANI									
46	Risal Singh Dugar, Bhiwani	Pass	Pass
47	Rajinder Singh, S.T.C.B., Loharu Pilani Road Loharu	Pass
JIND									
48	Krishan Kumar Dalal, Jind	..	Pass	..	..	..	Fail	..	..
49	Dharampal Singh, Jind	..	..	..	..	Fail	Fail	..	..
MOHINDERGARH									
50	Krishan Kumar Dalal, Narnaul	..	..	..	Fail	..	Fail	..	..
51	Dharam Paul, Rewari	..	..	..	Fail	..	..	..	..
52	Mahavir Prasad Saini, S.T.C.B., Jai Singh Pur, Khera	..	..	..	..	Pass	Fail	..	..
53	Davinder Singh Narnaul	..	..	..	..	Pass	Fail	..	..
54	Sajan Kumar Malik, Narnaul	..	..	..	..	Pass	..	..	..
FARIDABAD									
55	Ram Kumar Pawar, Faridabad	..	..	..	Fail	..	..	..	..
56	Phul Chand, S.T.C.B., Hotel	..	..	..	..	..	Pass	..	..
57	Partap Singh Sheokand, S.T.C.B., Faridabad	Pass	..	..	..	..	Fail	..	..
58	Om Parkash Tyagi, Faridabad	..	..	..	..	..	Pass	..	..
59	Ved Singh, Palwal	..	..	..	..	..	Pass	..	..
60	Om Parkash Jain, Faridabad	..	..	..	..	..	Pass (H.S.)	..	..
GURGAON									
61	Ram Parshad Sangwan, S.T.C.B., Punhana Bharatpur Road	..	..	..	Fail	..	Fail	..	..
62	Parshotam Dass, Gurgaon	..	Pass	..	Fail	..	Fail	..	..
63	Sadhu Ram Chawla, S.T.C.B., Daulatabad	..	..	..	..	Pass	Fail	..	..
64	K.S. Randhawa, S.T.C.B., Chandu Budhera	..	..	..	..	..	Fail	Pass (H.S.)	..
65	Om Parkash Bagri, S.T.C.B., Mundka	..	..	..	..	..	Fail	Fail	..
66	Jagvir Singh Malik, Gurgaon	..	Pass (H.S.)	..	..	..	Fail	..	..
67	Ravi Datt, S.T.C.B., Delhi-Alwar Road, Mundka	Pass (H. S.)	..	..	..	..	..	..	..
68	Ramesh Chander Sharma, Gurgaon	Pass	..	..	..	..	..	..	..
69	Indraj Singh, S.T.C.B., Chandu Dudhera	Pass (H.S.)	..	..	..	..	Pass	..	..
70	Balbir Singh, Gurgaon	..	..	..	..	..	Pass	..	..
71	Om Parkash Ahlawat, Mundka	..	..	..	..	..	Fail	..	..
EXCISE INSPECTORS									
1	Moti Ram Gupta, Panipat Co- operative Distillery Panipat	Pass	..	Fail
2	Ram Kumar Dagar, Mohindergarh	..	Pass	Fail
3	Ranvir Singh, Rohtak	Pass

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4	Jagdish Parshad Yadav, Charkhi Dadri (Bhiwani)	Fail
5	Des Raj, E.T.C. Office, Haryana, Chandigarh	(Pass (H.S.)
6	Jiwan Lal, Panipat Co-operative Distillery Panipat	Pass (H.S.)	Fail	..	..	..	..	..	..
7	Lachman Ram, Bhandari Chemical Works, Faridabad	Pass	..	..	..	..	..	..	..
8	Mohinder Singh Sodhi, Haryana Distillery, Yamunanagar	Pass (H.S.)	..	..	..	..	..	..	..
9	Narsa Ram, Panipat	Pass	Fail	..	..	..	..	..	..
10	Sham Kumar Vashisht, Panipat Co-operative Distillery, Panipat	Pass	Fail	..	..	..	..	..	..
11	Jaswant Singh, Hansi	Pass	..	..	..	..	..	..	..
12	S.S. Parmar, Gurgaon	..	Fail	..	..	..	..	..	..

EXCISE AND TAXATION OFFICERS (HIMACHAL PRADESH)

1	Roshan Lal Sankhayan, E.T. Inspector Multipurpose Barrier Kala Amb, District Sirmur	..	..	Fail	..	..	..	..
2	Pritam Singh Multipurpose Barrier, Kala Amb (Sirmur)	..	..	Fail	..	Fail	..	..
3	S.R. Kishore, Simla	Pass	Fail	..	..	..	Fail	..
4	Arjun Singh Bakshi, Simla	Pass	..	..	..	Fail	Fail	..
5	Padmesh Kumar Simla	Pass	Fail	..	Pass	..	Fail	..
6	Sant Ram, Nahan (Sirmur)	Pass	..	..	..	Fail	..	..
7	Govind Raj Gaur, Multipurpose Barrier Baroti, P.O. Parwanoo (Solan)	..	..	..	..	Fail	..	..

(Sd.) , , ,

Deputy Secretary,
Excise and Taxation Department.

राजस्व विभाग

युद्ध जागीर

दिनांक 21 सितम्बर, 1976

क्रमांक 1712-ज(II)-76/29518.—पूर्वी पंजाब युद्ध पुरस्कार अधिनियम, 1948 (जैसा कि उसे हरियाणा राज्य में अपनाया गया है और उसमें आज तक संशोधन किया गया है) की धारा 2(ए) (1ए) तथा 3(1ए) के अनुसार सौंधे गये अधिकारों का प्रयोग करते हुये हरियाणा के राज्यपाल श्री अमर सिंह, पुत्र श्री गोरखन सिंह, गाँव थामड़ोज, तहसील व ज़िला गुड़गावा, को रवी, 1969 से रवी, 1970 तक 100 रु० वार्षिक तथा खरीफ, 1970 से 150 रु० वार्षिक कीमत वाली युद्ध जागीर सनद में ही गई शर्तों के अनुसार सहृदय प्रदान करते हैं।